

Remarks

The Office Action dated August 4, 2006 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-3, 5-7, 9-10, and 12-14 are pending in this application. Claims 1-15 stand rejected. Claims 4, 8, 11, and 15 have been cancelled.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Office Action dated April 1, 2003, for the above-identified patent application from July 1, 2003, through and including August 1, 2003. In accordance with 37 C.F.R. 1.17(a), authorization to charge a deposit account in the amount of \$60.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 1-15 under 35 U.S.C. § 102(e) as being anticipated by O'Dwyer et al. (US 2004/0134977) is respectfully traversed.

Applicants respectfully submit that the Section 102 rejection of the presently pending claims is not a proper rejection because it references another patent (US 4,702,774 to Spurgeon) to supply a missing element. The Federal Circuit has opined that to anticipate a claim, a single source must contain all of the elements of the claim. See *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 137, 1379, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Also, missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. See *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

O'Dwyer et al. describes an envelope that includes a main panel, a pair of opposing side panels, a bottom panel, and a seal flap. A layer of remoistenable adhesive coating composition is disposed on the seal flap. The adhesive coating composition includes an adhesive and a water-

insoluble flavoring agent in an emulsion. The adhesive is selected from known adhesives including dextrin, vinyl acetate, polyvinyl alcohol, and vinyl acetate emulsions. O'Dwyer et al. do not describe nor suggest that the adhesive is an ethylene vinyl acetate copolymer.

Independent Claim 1 of the present application recites an envelope adhesive material that includes "a polymeric material, said polymeric material comprising an ethylene vinyl acetate copolymer; a flavor substance that produces a predetermined taste upon application of moisture to said envelope adhesive material; and a fragrance corresponding to said flavor.

O'Dwyer et al. do not describe nor suggest an envelope adhesive material as recited in Claim 1. Particularly, O'Dwyer et al. do not describe nor suggest an envelope adhesive material that includes a polymeric material comprising an ethylene vinyl acetate copolymer, a flavor substance that produces a predetermined taste upon application of moisture to the envelope adhesive material, and a fragrance corresponding to the flavor. Rather O'Dwyer et al. describe an adhesive selected from dextrin, vinyl acetate, polyvinyl alcohol, and vinyl acetate emulsion. The adhesives taught by O'Dwyer et al. do not include, nor suggest, an ethylene vinyl acetate copolymer.

Further, Sprugeon is cited for teaching that oil extracts can be used for fragrances in an aqueous activator fluid that also includes water and citric acid. Sprugeon is not cited for, and does not teach, an adhesive that includes a polymeric material comprising an ethylene vinyl acetate copolymer. Sprugeon does not teach any adhesive materials. Rather Sprugeon teaches an activator fluid for moistening glue on an envelope.

For the reasons set forth above, Applicants submit that Claim 1 is patentable over the cited art.

Claim 4 has been canceled.

Claims 2-3 depend from independent Claim 1. When the recitations of dependent Claims 2-3 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that Claims 2-3 likewise are patentable over the cited art.

Independent Claim 5 of the present application recites an envelope "comprising: a seal flap; and an adhesive covering at least a portion of said seal flap for sealing said envelope, said adhesive comprising: a polymeric material, said polymeric material comprising an ethylene vinyl acetate copolymer; a flavor substance that produces a predetermined taste upon application of moisture to said envelope adhesive material; and a fragrance corresponding to said flavor."

O'Dwyer et al. do not describe nor suggest an envelope adhesive material as recited in Claim 5. Particularly, O'Dwyer et al. do not describe nor suggest an envelope adhesive material that includes a polymeric material comprising an ethylene vinyl acetate copolymer, a flavor substance that produces a predetermined taste upon application of moisture to the envelope adhesive material, and a fragrance corresponding to the flavor. Rather O'Dwyer et al. describe an adhesive selected from dextrin, vinyl acetate, polyvinyl alcohol, and vinyl acetate emulsion. The adhesives taught by O'Dwyer et al. do not include, nor suggest, an ethylene vinyl acetate copolymer. Further, Sprugeon is cited for teaching that oil extracts can be used for fragrances in an aqueous activator fluid that also includes water and citric acid. Sprugeon is not cited for, and does not teach, an adhesive that includes a polymeric material comprising an ethylene vinyl acetate copolymer. Sprugeon does not teach any adhesive materials. Rather Sprugeon teaches an activator fluid for moistening glue on an envelope. Accordingly, Applicants submit that Claim 5 is patentable over the cited art.

Claim 8 has been canceled.

Claims 6-7 depend from independent Claim 5. When the recitations of dependent Claims 6-7 are considered in combination with the recitations of Claim 5, Applicants respectfully submit that Claims 6-7 likewise are patentable over the cited art.

Independent Claim 9 of the present application recites an envelope "comprising: a front panel; a rear panel; a seal flap; and an adhesive covering at least a portion of said seal flap for sealing said envelope, said adhesive comprising: a polymeric material, said polymeric material comprising an ethylene vinyl acetate copolymer; a flavor substance that produces a predetermined taste upon application of moisture to said envelope adhesive material, said flavor comprises at least one of popcorn flavor, chocolate flavor, cinnamon flavor, lemon flavor, orange flavor, peppermint flavor, pumpkin flavor, strawberry flavor, apple flavor, and vanilla flavor; and a fragrance corresponding to said flavor."

O'Dwyer et al. do not describe nor suggest an envelope adhesive material as recited in Claim 9. Particularly, O'Dwyer et al. do not describe nor suggest an envelope adhesive material that includes a polymeric material comprising an ethylene vinyl acetate copolymer, a flavor substance that produces a predetermined taste upon application of moisture to the envelope adhesive material, and a fragrance corresponding to the flavor. Rather O'Dwyer et al. describe an adhesive selected from dextrin, vinyl acetate, polyvinyl alcohol, and vinyl acetate emulsion. The adhesives taught by O'Dwyer et al. do not include, nor suggest, an ethylene vinyl acetate copolymer. Further, Sprugeon is cited for teaching that oil extracts can be used for fragrances in an aqueous activator fluid that also includes water and citric acid. Sprugeon is not cited for, and does not teach, an adhesive that includes a polymeric material comprising an ethylene vinyl acetate copolymer. Sprugeon does not teach any adhesive materials. Rather Sprugeon teaches

an activator fluid for moistening glue on an envelope. Accordingly, Applicants submit that Claim 9 is patentable over the cited art.

Claim 11 has been canceled.

Claim 10 depends from independent Claim 9. When the recitations of dependent Claim 10 are considered in combination with the recitations of Claim 9, Applicants respectfully submit that Claim 10 likewise is patentable over the cited art.

Independent Claim 12 of the present application recites a method of fabricating an envelope "comprising: providing a substrate; forming an envelope blank from the substrate, the envelope blank comprising a front panel, a rear panel secured to the front panel, a seal flap secured to the front panel, and two side panels secured to opposing sides of the front panel; applying an adhesive gum to at least a portion of the seal flap; folding the rear panel; and securing the rear panel to the two side flaps; the adhesive gum comprising: a polymeric material comprising an ethylene vinyl acetate copolymer; a flavor substance that produces a predetermined taste upon application of moisture to the envelope adhesive material; and a fragrance corresponding to the flavor."

O'Dwyer et al. do not describe nor suggest a method of fabrication an envelope as recited in Claim 12. Particularly, O'Dwyer et al. do not describe nor suggest an envelope adhesive gum that includes a polymeric material comprising an ethylene vinyl acetate copolymer, a flavor substance that produces a predetermined taste upon application of moisture to the envelope adhesive material, and a fragrance corresponding to the flavor. Rather O'Dwyer et al. describe an adhesive selected from dextrin, vinyl acetate, polyvinyl alcohol, and vinyl acetate emulsion. The adhesives taught by O'Dwyer et al. do not include, nor suggest, an ethylene vinyl acetate copolymer. Further, Sprugeon is cited for teaching that oil extracts can be used for fragrances in

an aqueous activator fluid that also includes water and citric acid. Sprugeon is not cited for, and does not teach, an adhesive that includes a polymeric material comprising an ethylene vinyl acetate copolymer. Sprugeon does not teach any adhesive materials. Rather Sprugeon teaches an activator fluid for moistening glue on an envelope. Accordingly, Applicants submit that Claim 12 is patentable over the cited art.

Claim 15 has been canceled.

Claims 13-14 depend from independent Claim 12. When the recitations of dependent Claims 13-14 are considered in combination with the recitations of Claim 12, Applicants respectfully submit that Claims 13-14 likewise are patentable over the cited art.

For the reasons set forth above, Applicants respectfully request that the Section 102(e) rejection of Claims 1-15 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



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